

OFFICE OF THE FEDERAL DEFENDER

EASTERN DISTRICT OF CALIFORNIA

801 I STREET, 3rd Floor

SACRAMENTO, CALIFORNIA 95814

(916) 498-5700 Fax: (916) 498-5710

Quin Denvir
Federal Defender

Daniel J. Broderick
Chief Assistant Defender

September 30, 2005

FILED

SEP 30 2005

**CLERK, U.S. DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA
BY _____
DEPUTY CLERK**

Victor Haltom
Attorney at Law
428 J Street, #350
Sacramento, CA 95814

Re: **United States v. Scott Vogelsang**
Cr.S-02-151-MCE

Dear Mr. Haltom:

This will confirm your appointment by the Honorable Morrison C. England, U.S. District Judge, to represent the above-name appellant. You are attorney of record until such time as you are relieved or other action is taken to appoint a different attorney.

Enclosed is a CJA 20 form, your Order of Appointment and Voucher for services rendered. Also enclosed is an instruction sheet discussing the use of the forms, together with sample forms for reporting court time. This will also provide a uniformity in the way attorneys report their time and services rendered.

If we may be of any further assistance regarding the processing of the enclosed form, preparation of form CJA 21 for expert services, or in reference to any other matter pertaining to this case, please feel free to call upon us at any time.

Very truly yours,



LUPE HERNANDEZ
Operations Administrator

:lh
Enclosures

cc:  Clerks Office
Ninth Circuit Court of Appeals

CJA 20 APPOINTMENT OF AND AUTHORITY TO PAY COURT APPOINTED COUNSEL

1. CJA/DIST./DIV. CODE 09C		2. PERSON REPRESENTED Vogelsang, Scott		VOUCHER NUMBER	
3. MAG. DKT./DEF. NUMBER		4. DIST. DKT./DEF. NUMBER Cr.S-02-151-MCE		5. APPEALS DKT./DEF. NUMBER	
7. IN CASE/MATTER OF (Case Name) U.S. v. Vogelsang		8. PAYMENT CATEGORY Appeal		9. TYPE PERSON REPRESENTED Appellant	
				10. REPRESENTATION TYPE TD	
11. OFFENSE(S) CHARGED (Cite U.S. Code, Title & Section) If more than one offense, list (up to five) major offenses charged, according to severity of offense. Criminal Appeal					
12. ATTORNEY'S NAME (Print Name, M.I., Last Name, including any suffix) AND MAILING ADDRESS Victor Halton, Esq. 428 J Street, #350 Sacramento, CA 95814 Telephone Number (916) 444-8663			13. COURT ORDER <input type="checkbox"/> O Appointing Counsel <input type="checkbox"/> C Co-Counsel <input type="checkbox"/> F Sub Po For Federal Defender <input type="checkbox"/> E Sub Po For Retained Attorney <input type="checkbox"/> P Sub Po For Paid Attorney <input type="checkbox"/> V Standby Counsel Prior Attorney's Name _____ Appointment Date _____ <input type="checkbox"/> Recipient has above-mentioned person represented has notified writer with or his attorney notified this court through the court's representative to comply attached and (2) date and which to make certain, and hereby the signature of justice in response, the attorney whose name appears on this (13) is authorized to represent this person in this case, or <input type="checkbox"/> Other (See Instructions) _____ Signature of Presiding Judicial Officer or By Order of the Court <u>9/28/05</u> 9/7/05 Date of Order _____ Payment or partial payment ordered from this person represented for this service at time of appointment. <input type="checkbox"/> YES <input type="checkbox"/> NO		
14. NAME AND MAILING ADDRESS OF LAW FIRM (only provide per instructions)					

CATEGORIES (Attach Description of services with dates)		HOURS CLAIMED	TOTAL AMOUNT CLAIMED	MATH/TECH ADJUSTED HOURS	MATH/TECH ADJUSTED AMOUNT	ADDITIONAL REVIEW
IN COURT	11. a. Arraignment and/or Plea					
	b. Bail and Detention Hearings					
	c. Motion Hearings					
	d. Trial					
	e. Sentencing Hearings					
	f. Revocation Hearings					
	g. Appeals Court					
	h. Other (Specify on additional sheets)					
(Rate per hour = \$ 90) TOTALS:						
OUT OF COURT	14. a. Interviews and Conferences					
	b. Obtaining and reviewing records					
	c. Legal research and brief writing					
	d. Travel time					
	e. Investigative and Other work (Specify on additional sheets)					
(Rate per hour = \$ 90) TOTALS:						
17. Travel Expenses (lodging, parking, meals, mileage, etc.)						
18. Other Expenses (other than expert, transcripts, etc.)						
19. CERTIFICATION OF ATTORNEY/PAYEE FOR THE PERIOD OF SERVICE FROM _____ TO _____			20. APPOINTMENT TERMINATION DATE IF OTHER THAN CASE COMPLETION		21. CASE DISPOSITION	
22. CLAIM STATUS <input type="checkbox"/> Paid Payment <input type="checkbox"/> Ignored Payment Number _____ <input type="checkbox"/> Supplemental Payment Have you previously applied to the court for compensation and/or reimbursement for this case? <input type="checkbox"/> YES <input type="checkbox"/> NO If yes, were you paid? <input type="checkbox"/> YES <input type="checkbox"/> NO Other than from the court, have you, or to your knowledge has anyone else, received payment (compensation or anything of value) from any other source in connection with this representation? <input type="checkbox"/> YES <input type="checkbox"/> NO If yes, give details on additional sheets. I swear or affirm the truth or correctness of the above statements. Signature of Attorney: _____ Date: _____						
23. IN COURT COMP.	24. OUT OF COURT COMP.	25. TRAVEL EXPENSES	26. OTHER EXPENSES	27. TOTAL AMT. APPR./CERT		
28. SIGNATURE OF THE PRESIDING JUDICIAL OFFICER			DATE	29. JUDGE / MAG. JUDGE CODE		
29. IN COURT COMP.	30. OUT OF COURT COMP.	31. TRAVEL EXPENSES	32. OTHER EXPENSES	33. TOTAL AMT. APPROVED		
34. SIGNATURE OF CHIEF JUDGE, COURT OF APPEALS (OR DELEGATE) Payment approved on behalf of the court by the court's designated attorney.			DATE	34a. JUDGE CODE		

VICTOR S. HALTOM
Attorney at Law
State Bar No. 155157
428 J Street, Suite 350
Sacramento, CA 95814
Telephone: (916) 444-8663
Facsimile: (916) 444-1546
e-mail: vshjah@aol.com

Attorney for Defendant
SCOTT VOGELSANG

IN THE UNITED STATES DISTRICT COURT
IN AND FOR THE EASTERN DISTRICT OF CALIFORNIA

**THE UNITED STATES OF
AMERICA,**

Plaintiff and Respondent,

v.

SCOTT VOGELSANG,

Defendant and Appellant.

Case No. CR-S-02-0151-MCE
NOTICE OF APPEAL

Notice is hereby given that SCOTT VOGELSANG, the above-named defendant and appellant, hereby appeals to the United States Court of Appeals for the Ninth Circuit from the judgment imposed herein by the district court on September 6, 2005.

In this appeal, Mr. VOGELSANG will seek reversal of the aforementioned judgment on grounds which include, but are not limited to the following: {1} erroneous denial of pre-trial motions; {2} error during the course of Mr. VOGELSANG's jury trial; {3} erroneous denial of post-verdict motions; and {4} sentencing error.

DATE: September 7, 2005

Respectfully Submitted,

VICTOR S. HALTOM
Attorney for Defendant/Appellant
SCOTT VOGELSANG